Cochin Chief Court Regulation Amendment Bill.

President.—The next item is motion by Mr. C. A. Kunjunni Raja for the consideration of the Bill to amend the Cochin Chief Court Regulation.

Mr. C. A. Kunjunni Raja.—Under Standing Order 26, I beg to move that the consideration of this Bill be adjourned.

Mr. T. A. Ramachandra Ayyar.—I second it.

President.—Should you not move before adjournment?

Mr. Thomas Manjuran.—Somebody must move it. He must move it. The motion must be moved. That is the order.

President.—The motion must be moved and seconded.

Mr. C. J. Mathew.—There was some business to be adjourned. You look in the agenda.

President.—There must be the business before the Council. So that, when the motion is made, there is the business. I don't know why we should not follow the rule. I call upon Mr. Kunjunni Raja to move the Bill.

Mr. C. A. Kunjunni Raja.—I don't move it to-day.

President.—Then if you don't move, can I take it as withdrawn?

Mr. C. A. Kunjunni Raja.—No.

President.—I mean there is a specific date on which the motion ought to be made and you don't move it. What is the effect of it?

Mr. C. A. Kunjunni Raja.—There were precedents in this Council. Mr. Salem's Old Age and Widow's Bill, and there were several.

President.—We shall consider this point. May I make a note of it? He does not move. I want to know what its effect is.

Mr. Thomas Manjuran.—After making note, we shall just see.

President.—And, therefore, does it meant hat you reserve your right in regard to this motion to move it on some other day? With permission or without permission? What is it?

Mr. C. A. Kunjunni Raja.—Yes.

President.—You sent up the motion. It was admitted and fixed for consideration on a particular day. On that day, you don't move it. So your motion goes.

Mr. C. A. Kunjunni Raja.—There are two precedents with regard to a similar matter.

President.—We shall consider precedents also. I don't know what the precedents are. Properly speaking, time having been given for making a motion on a particular day, if you don't take advantage of that, you lose your right in making that

LIBRARY ARCHIVES Kerala Legislative Assembly

motion by the Rules and Standing Orders. You are not entitled to bring it on some other day. You must send it up again. Is that the point?

Mr. V. K. Kochunni Menon.—When he moves again this question may be considered.

President.—I am only asking whether there is any special significance in the statement " I don't move it to-day." If he merely says " I don't move" there is nothing. Because he qualifies it "I don't move it to-day" it implies an intention to move it on some other day. I want to know whether that is necessarily implied and whether I should take up the matter when you move it on a particular day.

Mr. V. D. Ouseph.—This question will be considered only when he moves again.

Mr. A. L. Antony.—We don't know whether he will still move it in the Council.

President.—He said that he does not move it to-day.

Mr. Thomas Manjuran.—I want to submit a word in this connection. I move or at any rate I beg to bring to your notice that the subject should not have been placed in the agenda at all to-day. By the Rules and Standing Orders of this Council, that Bill must be considered to have been thrown out. I refer to section 4. I am hence raising a point of order. Section 4 of the Standing Order says "A session of the Council is terminated by prorogation by the Diwan by notification or otherwise. On the termination of a session, all pending notices shall lapse and fresh notice shall be given for the next session. But Bills which have been introduced shall be carried over to the next session, provided that if a Member in charge of a Bill makes no motion in regard to the same during two complete sessions the Bill shall lapse unless the Council on a motion by that Member makes a special order for the continuance of the Bill'.

We are not concerned with the latter portion. Now this Bill of the Hon'ble Jenmi Member was introduced in the First Council. No motion was made although we had three sessions of this Council even before this session. I shall submit what those sessions were. First, although it cannot be dignified by the name of a session, was the preliminary meeting. Second was the Budget Session in which private business also was considered. The third was the Special Session of Kanni 1104.

President.—The third was a special sitting. No business othre than that connected with the Special Finance Commoitte was considered.

Mr. Thomas Manjuran.—I submit, as the law now stands, there is nothing to distinguish that session from any one of the other sessions.

LIBRARY ARCHIVES Kerala Legislative Assembly

President.—If that be the interpretation, this is a continuation of that session. That was not prorogued.

Mr. Thomas Manjuran.—Let that go. This is a second session.

President.—If Mr. Raja does not move, it will be considered thrown out.

Mr. Thomas Manjuran.—He will have to give notice. As things stand, it is dead.

We are now in the third session. Even if it is not so, two clear sessions are over. Notice was issued to move a certain motion and the mover said that he is not moving it. In any view, this matter must be considered to have gone out of the Council.

President.—He can give notice and move in the next Council sitting.

Mr. Thomas Manjuran.—He must give 6 days' notice.

Dr. A. G. Menon.—This is the Legislative Session.

President.—We are now in the session called Legislative Session. It comprises a number of meetings.

Mr. Thomas Manjuran.—I do not know where we get all that from.

Mr. C. A. Kunjunni Raja.—Read definition 12.

Mr. Thomas Manjuran.—'Session' means the whole period from the time when the Council is assembled to the time when it is prorogued. Is not the Council prorogued?

President.—This session was adjourned to some other day.

Mr. Thomas Manjuran.—Such a rule is not seen in the Standing Orders.

President.—I say it is a part of the session. The Deputy President said at the conclusion that he adjourned the Session.

Mr. T. K. Krishna Menon.—It is not possible for the reporters to take down all these things, if so many speak together. And we are discussing a matter which is not relevant.

Dr. A. G. Menon.—Certainly.

Dr. A. R. Menon.—I rise to a point of order. Is this discussion relevant? I ask for my information only.

President.—I have to record whether it is to be taken as withdrawn. When we adjourn these things, does any question arise.

Mr. Thomas Manjuran.—I brought it to the notice of the Chair, because, according to my view, this is the third session. If the Chair rules that it is not the third session, there is an end of it. No point of order is to be raised.

LIBRARY ARCHIVES Kerala Legislative Assembly

President.—When a motion is in the agenda and it is not moved, we have to record that the motion was withdrawn. Mr. Raja did not move his motion to-day. What is the effect of that? Generally, in all these cases, we make a note that the motion is considered as withdrawn. The only way to look at it is, it is not taken up for consideration to-day. When notice of the motion is given again, we have to consider whether this motion is to be legally admitted under the Rules, or not. Then it is open to the Members to raise a point of order as to the admissibility. These controversial questions need not, therefore, be raised to-day. Mr. Raja said that he did not move his motion to-day. It is, therefore, not taken up for consideration. Now we shall take up the resolutions. I suppose we have finished up to 11. The resolution that we must take into consideration is No. 12 in the business statement of Monday. It stands in the name of Dr. A. G. Menon.

Resolutions on matters of General Public Interest.

12. Supply of printed Proceedings.

Dr. A. G. Menon —Sir, I move this without any speech because many of our people outside this Council, especially in Chittur, do not know what actually takes place in this Council. So I propose without taking any time that "*this Council recommends that copies of the printed (Official) Proceedings of the meetings of the Legislative Council may be supplied to all the Government Offices, the Government High Schools and the Maharaja's College,*" and if you will allow me, I may even add that it may be issued with the Government Gazette.

Mr. Thomas Manjuran.—I second it. I would like to say one word in the matter. The course that is recommended is particularly necessary, so it appears to me, because, as things now are, most of the Departments and most of the officers of the Departments concerned whose conduct is being criticised in the House never happen to know what is said about them. As things stand, unless they are very enterprising, they will not go about and collect this information. There may be censure and there may be praise. Let them enjoy the praise and observe the censure. I would even accept the suggestion that, with every copy of the Gazette, a copy of the Council Proceedings may be given.

President.—There are two amendments, one of Mr. C. A. Kunjunni Raja and the other of Mr. T. A. Ramachandra Ayyar.

Dr. A. G. Menon.—I have no objection to accept both these amendments, Sir.

President.—The first amendment is to omit "the Government High" and substitute "Municipalities, Panchayats,

LIBRARY ARCHIVES Kerala Legislative Assembly